IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 20TH NOVEMBER 2007 / 29TH KARTHIKA 1929

Crl.Rev.Pet.No. 84 of 2000()

CRA.62/1995 of SESSIONS COURT, KOTTAYAM
CC.156/1991 of JUDL.MAGISTRATE OF FIRST CLASS, PALA

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REVN. PETITIONER: APPELLANT/ACCUSED

JACOB, S/O.CHACO
RESIDING AT PATHIMATTATHIL VEETTIL
KURAVILANGAD VILLAGE AND KARA
(KAKKASSERIL VEETTIL MANJOOR SOUTH KARA)

BY ADV. SRI.T.M.ABDUL LATHEEF

RESPONDENTS: RESPONDENT/COMPLAINANT

STATE REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 20/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

CRRP84/00

ORDER ON CRL.M.P.NO.375/2000 IN CRL.R.P.NO.84/2000

DISMISSED

20.11.2007 SD/- K.R.UDAYABHANU, JUDGE

/TRUE COPY/

P.A. TO JUDGE

K.R.UDAYABHANU, J

Crl.R.P.No.84 of 2000

Dated this the 20th day of November, 2007

O R D E R

The revision petitioner stands convicted for the offence under Section 279 IPC and sentenced to undergo simple imprisonment for one month and to pay a fine of Rs.1,000/- and in default, to undergo simple imprisonment for two weeks.

2. The prosecution case is that the accused on 14.4.1991 at 10.30 a.m. drove the bus bearing registration No.KRF 3810 under the influence of alcohol in a rash and negligent manner so as to endanger human life from Vaikom to Pala.

3. I find that the accused stands acquitted for the offence under Section 185 of M.V. Act.

4. Counsel for the revision petitioner has only sought for modification of the sentence. The incident has taken place about 16 years back. In the circumstances, the sentence imposed for the offence under Section 279 IPC is modified to pay a fine of Rs.1,000/- and in default, to undergo simple imprisonment for two weeks.

The criminal revision petition is disposed of accordingly.

K.R.UDAYABHANU,
JUDGE

csl